

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

44th Legislative Day

4/28/2005

Clerk Mahoney: "The House Perfunctory Session will come to order. Introduction and reading Senate Bills-First Reading. Senate Bill 502, offered by Representative Parke, a Bill for an Act concerning local government. Senate Bill 635, offered by Representative Pritchard, a Bill for an Act concerning State Government. And Senate Bill 833, offered by Representative Ryg, a Bill for an Act concerning local government. Senate Bill 1493, offered by Representative Yarbrough, a Bill for an Act concerning education. Senate Bill 1734, offered by Representative May, a Bill for an Act concerning education. Senate Bill 1776, offered by Representative Hultgren, a Bill for an Act in relation to military. And Senate Bill 1935, offered by Representative Hultgren, a Bill for an Act concerning State Government."

Speaker Turner: "The hour of 1:00 having come and went, the House shall be in order. We shall be led in prayer today by Pastor William H. Copeland Jr. with Morning Star Missionary Baptist Church in Kankakee, Illinois. Pastor Copeland is the guest of Representative Dugan. Members and guests are asked to refrain from starting their laptops, turn off all cell phones and pagers and rise for the invocation and the Pledge of Allegiance. Pastor Copeland."

Pastor Copeland: "Thank you. Let us lift our hearts in prayer together. Almighty God and merciful, we has been bonded, You have bonded us together in one single garment of human destiny. And as we assemble here today to invoke Your powerful presence, we ask that You would let us feel Your presence and the warmth of Your love. We thank You, that

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You have been so good to this nation and to this country. You have blessed us and has blessed our land in abundance, enabled to survive those turbulent times that we live in, in a climate of confusion and vision we pray now for wisdom and cohesiveness. We're reminded of the words of our President Abraham Lincoln, who decided that the difference between statesman and a politician, he said is that a politician is concerned about the next election, while a statesman is concerned about the next generation. So we pray today that You would grant us the wisdom to focus and be concerned, our primary concern about the next generation. Grant those whom we have entrusted with leadership and authority, grant them wisdom that they may lead us in the direction that You would be pleased. As we lunge out into the unknown future, give us wisdom and strength to seek Thy guidance. We cry out with a loud voice as did someone long ago, who said, 'Give me a light that I may see.' Another voice cried out, 'Put your hands in the hand of God and that to you shall be better than a light and safer than an known way.' We pray especially for all of our leaders from the various parts of our state, we ask of God that You would grant them favor, even today. And as they liberate help them to know that all wisdom and all knowledge come from You. And help them to seek Your guidance and invite You to always divinely intervene in all that we do. And Oh God, we pray now for a special blessing upon this Assembly today and as we leave this place today going our different ways, we pray for traveling graces and

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arriving mercies. Be kind to all of us and remember our constituencies and help us to be faithful to them. For we ask it all in the precious and powerful name of the eternal God, Amen."

Speaker Turner: "We shall be led in the Pledge today by the Gentleman from Boone, Representative Wait."

Wait - et al: "I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all."

Speaker Turner: "Roll Call for Attendance. The Gentleman from Jackson, Representative Bost."

Bost: "Thank you, Mr. Speaker. Let the record reflect that Representative Black and Lindner are excused today."

Speaker Turner: "The record will so reflect. Representative Currie."

Currie: "Thank you, Speaker. Please let the record show that Representatives Collins and McKeon are excused today."

Speaker Turner: "And the record will so reflect. A quorum being present, we will proceed. There are 114 Members present, 4 being absent. The Gentleman... The Gentleman from Giles... I mean, the Gentleman from Cook, Representative Giles, for what reason do you rise? Okay. The Lady from Lake, Representative May, for what reason do you rise?"

May: "A point of personal privilege for an announcement. As you may or may not be aware, April 2005 was commemorated as Car Care Month by House Resolution 107. So, we have another great tip here. In keeping with the spirit of that

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Resolution and to tie this issue with my concern for the environment, my car care tip for today is about voluntarily replacing the mercury switches under the hood and in the trunk of your car. All vehicles manufactured since 2003 contain pollution-friendly ball bearing switches which added less than thirty-eight cents to each vehicle. U.S. manufacturers stopped installing mercury switches in 1992 for cars sold to the foreign market. The phase out for their cars, trucks, and vans sold in the U.S. as much as 10 years later. Because there is no simple way to determine if your vehicle does or does not have a mercury switch, you should call your car's manufacturer, give them the make and model of your car and ask if mercury switches were original equipment or not. And if so, check on the cost of an after... after-market replacement. Or at the very least remove those switches before you release your car to a junk yard or recycler. This and other simple and inexpensive preventative tips will greatly extend the life and safety of you, your car, and the world we live in. Thank you."

Speaker Turner: "Thank you, Representative. And I'm... Representative, I'm also reminded that a new fuel filter will carry you a long way, too. The Gentleman from DuPage, Representative Daniels, for what reason do you rise?"

Daniels: "Point of personal privilege."

Speaker Turner: "State your point."

Daniels: "Wonder if I could have the attention of the House for just a short moment?"

Speaker Turner: "Proceed."

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Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, today I introduced House Resolution 368. This deals with the media reports that reveal that Illinois nursing homes, long-term care facilities, community integrated living arrangements, and supportive living centers are housing 161 criminal, sexually-violent parolees that are be placed in our homes with the most vulnerable citizens of this state. Not only in nursing homes, but eight-bed CILAs have been requested to house sexually-violent criminals. Mr. Speaker, I've introduced House Resolution 368 to ask for this Assembly to investigate immediately the happenings that are causing this to occur. Placements by Public Aid, Department of Human Services, and the Illinois Department of Corrections and Public Health. Why we are allowing this to occur in our most vulnerable citizens and placing them in harm's way. We are gonna ask that next week this be presented to the House in consideration. And I bring it to everyone's attention to encourage all Members of the House that wish to join in the presentation of House Resolution 368 to join me in this presentation. Thank you very much for your attention."

Speaker Turner: "Thank you Representative. The Gentleman from Winnebago, Representative Winters, for what reason do you rise?"

Winters: "Inquiry of the Chair."

Speaker Turner: "State your inquiry."

Winters: "Mr. Speaker, I think a lot of us have noticed this morning that there are a large... large number of F-16s in

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the air, flying over downtown Springfield and the Capitol Building. My question is, does that mean Governor Blagojevich is in town and actually wanting to work on the budget? We're within one month now of our adjournment schedule. As far as I know, we are a long ways apart from matching the state's revenues with the expenditures for next year. Is the Governor, in fact, in town and the Air Guard overhead protecting the Governor from a... foreign dangers?"

Speaker Turner: "I'm certain if he's protecting the Governor, Representative. But I do know this, we're all protected at this point and that's..."

Winters: "Thank you."

Speaker Turner: "...a good thing. The Gentleman from Cook, Representative McAuliffe, for what reason do you rise?"

McAuliffe: "Point of personal privilege."

Speaker Turner: "State your point."

McAuliffe: "In the gallery, I have a pioneer, Cindy Fagiano, who lives in my district and was one of the first firemen... or firewoman in the City of Chicago. And also with her is her daughter, Carissa, her aunt Betty, and Rocco who is a Democratic Page. We all work together. Let's have a big hand for Cindy Fagiano, pioneer of the Chicago Fire Department."

Speaker Turner: "Welcome to Springfield. Rocky... Mr. Clerk, Committee Reports."

Clerk Mahoney: "Committee Reports. Representative Barbara Flynn Currie, Chairperson from the Committee on Rules, which the

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following legislative measures and/or Joint Action Motions were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'approved for floor for consideration' House Bill 1663. Representative Howard, Chairperson from the Committee on Computer Technology, which the following measure/s was/were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1645. Representative McAuliffe, Chairperson from the Committee on Veterans' Affairs, which the following measure/s was/were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 40 and Senate Bill 32... 328. Representative Joyce, Chairperson from the Committee on Aging, which the following measure/s was/were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 1489, Senate Bill 1967 and Senate Bill 2062. Representative Daniels, Chairperson from the Committee on Developmental Disabilities & Mental Illness, which the following measure/s was/were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 559. Representative Molaro, Chairperson from the Committee on Judiciary II-Criminal Law, which the following measure/s was/were referred, action taken on April 28, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 45,

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Senate Bill 72, Senate Bill 78, Senate Bill 104, Senate Bill 190, Senate Bill 287, Senate Bill 292, Senate Bill 326, Senate Bill 416, Senate Bill 469, Senate Bill 1960 and Senate Bill 2090. Representative Mendoza, Chairperson from the Committee on International Trade & Commerce, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 15 and Senate Bill 1699. Representative Osterman, Chairperson from the Committee on Local Government, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 489, Senate Bill 528, Senate Bill 1826, Senate Bill 1882 and Senate Bill 2085. Representative Saviano, Chairperson from the Committee on Registration & Regulation, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 158, Senate Bill 311, Senate Bill 450, Senate Bill 451, Senate Bill 1876, and Senate Bill 2064; 'do pass as amended Short Debate' Senate Bill 139. Representative Delgado, Chairperson from the Committee on Human Services, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 3, Senate Bill 63, Senate Bill 350, Senate Bill 1438, Senate Bill 1878; 'do pass as amended Short Debate' Senate Bill

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1862; 'recommends be adopted' House Resolution 145, House Resolution 147 and House Resolution 193. Representative Giles, Chairperson from the Committee on Elementary & Secondary Education, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 64, Senate Bill 87, Senate Bill 211, Senate Bill 297 and Senate Bill 1497; 'recommends be adopted' House Resolution 186. Representative Fritchey, Chairperson from the Committee on Judiciary I-Civil Law, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 95, Senate Bill 452, Senate Bill 460, Senate Bill 504, Senate Bill 516, Senate Bill 517, Senate Bill 533 and Senate Bill 1219; 'recommends be adopted' House Resolution 170. Representative Berrios, Chairperson from the Committee on Gaming, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 198. Representative Franks, Chairperson from the Committee on State Government Administration, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 52, Senate Bill 226, Senate Bill 1666, Senate Bill 1799 and Senate Bill 1857; 'recommends be adopted' House Resolution 141 and House Resolution 155.

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Representative Soto, Chairperson from the Committee on Labor, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 426; 'recommends be adopted' House Resolution 172. Representative Holbrook, Chairperson from the Committee on Environment & Energy, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 769, Senate Bill 1483, and Senate Bill 1814. Representative McCarthy, Chairperson from the Committee on Higher Education, which the following measure/s was/were referred, action taken on April 27, 2005, reported the same back with the following recommendation/s: 'do pass Short Debate' Senate Bill 445 and Senate Bill 2112."

Speaker Turner: "Ladies and Gentlemen, as the Chair intends to go through the Calendar starting on page 2. We're going to do Second Readings. So, I'd ask that you start to look at the Calendar, we're going to start at the top and we're going to go through Second Readings and be prepared to either move your Amendments or tell me 'out of the record'. And don't be all week letting me know. Mr. Clerk, on page 2 of the Calendar we have Senate Bill 12, Representative Feighholtz. Move the Bill. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 12, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No

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Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Mr. Clerk, we have Senate Bill 54 on page 2 of the Calendar. Representative Sullivan, he says out of the record. Senate Bill 75, Representative Hamos. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 75, a Bill for an Act concerning housing. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 127, Representative Kosel. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 127, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. Amendment 1 was adopted in committee. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 173, Representative Saviano, on Senate Bill 173. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 173, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. We have Senate Bill 210, Representative Froehlich. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 210, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "Third Reading. Representative Reitz, on House... on Senate Bill 214. Representative Reitz. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 214, a Bill for an Act concerning warehouses. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative McGuire, on Senate Bill 459. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 459, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Mathias, on Senate Bill 509. Hol... Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 509, a Bill for an Act concerning transportation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill. Mr. Clerk, we have Representative Feignholtz on Senate Bill 511. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 511, a Bill for an Act concerning adoption. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Osterman, on Senate Bill 521. Read the Bill, Mr. Clerk."

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Clerk Mahoney: "Senate Bill 521, a Bill for an Act concerning insurance. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Osterman, on Senate Bill 526. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 526, a Bill for an Act concerning safety. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Feignholtz, on Senate Bill 1458. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1458, a Bill for an Act concerning adoption. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Feignholtz, on Senate Bill 1469. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1469, a Bill for an Act concerning regulation. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Lyons, on Senate Bill 1637, Eileen Lyons. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1637, a Bill for an Act concerning elections. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

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Speaker Turner: "We have Senate Bill 1892, Representative... Move it to... I'm sorry, Third Reading. Representative Colvin on Senate Bill 1892. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 1892, a Bill for an Act concerning business. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Hold the Bill. Representative Sacia on Senate Bill 2103. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2103, a Bill for an Act in relation to immunity. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Representative Phelps on Senate Bill 2104. Read the Bill, Mr. Clerk."

Clerk Mahoney: "Senate Bill 2104, a Bill for an Act concerning criminal law. Second Reading of this Senate Bill. No Committee Amendments. No Floor Amendments. No Motions filed."

Speaker Turner: "Third Reading. Is Representative McCarthy in the chamber? Agreed Resolutions, Mr. Clerk."

Clerk Mahoney: "Agreed Resolutions. House Resolution 351, offered by Representative Sullivan. House Resolution 352, offered by Representative Churchill. House Resolution 353, offered by Representative Howard. House Resolution 354, offered by Representative Mautino. House Resolution 355, offered by Representative Rose. House Resolution 357,

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offered by Representative McCarthy. And House Resolution 358, offered by Representative Reitz."

Speaker Turner: "The Gentleman asks... Representative Currie moves for the adoption of the Agreed Resolutions. All those in favor say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it and the Resolutions are adopted. Adjournment Resolutions... Mark, just a minute. The Gentleman from Cook, Representative Osterman, for what reason do you rise?"

Osterman: "Thank you, Mr. Speaker. Point of personal privilege. Ladies and Gentlemen of the House, for those that are interested in participating in the Senate/House softball game, which we've been able to win for the last 5 years, we're gonna have a practice next Tuesday night. So, please bring down your shoes, your sweatpants, whatever and we're gonna have a practice next Tuesday. The game will be the following Tuesday on the 11th, so please, join us next week."

Speaker Turner: "Mr. Clerk, Adjournment Resolutions."

Clerk Mahoney: "Senate Joint Resolution 42.

RESOLVED, BY THE SENATE OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the Senate adjourns on Thursday, April 21, 2005, it stands adjourned until Tuesday, May 03, 2005 at 12:00 noon.

House Joint Resolution 53.

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE

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CONCURRING HEREIN, that when the House of Representatives adjourns on Thursday, April 28, 2005, it stands adjourned until Tuesday, May 03, 2005 at 1:00 p.m."

Speaker Turner: "Representative Currie moves for the adoptions of the Adjournment Resolutions, both Resolutions. All those in favor should say 'aye'; all those opposed say 'no'. The opinion of the Chair is the 'ayes' have it and the Resolutions are adopted. Allowing perfunctory time for the Clerk, Representative Currie moves that the House does stand adjourned until Tuesday, May 23, at the hour of noon, Tuesday, May 3, at the hour of noon... Tuesday, May 3, at the hour of noon. The Gentleman from Cook, Representative Parke, for what reason do you rise?"

Parke: "Thank you, Mr. Speaker. Just for the benefit of... of the Body. How many more weeks do we have before a... we are done with the Senate Bills in committee?"

Speaker Turner: "There's 2 weeks left for Senate..."

Parke: "So next week and the following..."

Speaker Turner: "...Bills to get out."

Parke: "...week and if you don't have your Bills out of committee, you're done."

Speaker Turner: "Thirteenth is the last day for getting Senate Bills out of committee."

Parke: "Just let everybody know that we only got 2 more weeks to get your Bills ready. Thank you."

Speaker Turner: "Hopefully, they heard you as they're walking out the door. You have a good weekend, Representative. And all of you drive home safely, we'll see you next week."

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Clerk Mahoney: "House Perfunctory Session will come to order. Introduction and reading of Senate Bills-First Reading. Senate Bill 385, offered by Representative Joe Lyons, a Bill for an Act concerning regulation. Senate Bill 763, offered by Representative Miller, a Bill for an Act concerning public employee benefits. Senate Bill 1251, offered by Representative Miller, a Bill for an Act concerning business. Senate Bill 1944, offered by Representative Tryon, a Bill for an Act concerning local government. Senate Bill 2071, offered by Representative Miller, a Bill for an Act concerning finance. Referred to the House Committee on Rules: House Resolution 356, offered by Representative Soto; House Resolution 359, offered by Representative Mendoza; House Resolution 360, offered by Representative Mulligan; House Joint Resolution 52, offered by Representative Chapa LaVia. There being no further business, the House Perfunctory Session will stand adjourned."